

Commissioners of St. Mary's County Meeting Minutes (Tuesday, March 1, 2022)

Generated by Julie Burch on Wednesday, March 2, 2022

Members present

Commissioner President James R. Guy
Commissioner Eric Colvin
Commissioner Michael L. Hewitt
Commissioner Todd B. Morgan
Commissioner John E. O'Connor
David Weiskopf, County Attorney, Acting Co-County Administrator
ALisa Casas, Communications Director, Public Information Office

Commissioner President Guy called the business meeting of the Commissioners of St. Mary's County to order at 9:03 a.m. in the Chesapeake Building Meeting Room, Governmental Center.

Approval of Consent Agenda

I move to approve the Consent Agenda, which includes the Minutes of February 15, 2022, as amended.

Motion by Commissioner John E. O'Connor, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

2. PROCLAMATIONS

Proclamations were presented for:

- A. National Engineers Week
- B. National Developmental Disability Awareness Month Proclamation

3. COMMENDATIONS

Commendations were presented to:

- A. Kenneth Cusic Retirement
- B. Harry Knight Retirement

4. PUBLIC HEARING

A. DEPARTMENT OF FINANCE - PUBLIC HEARING - Supplemental Appropriation Ordinance

Commissioner President Guy opened the public hearing at 9:33 a.m.

Present: Jeannett Cudmore

Notice of the Public Hearing was published on February 11 and 18, 2022. This public hearing is for FY2022 Grant/ Revenue Funding additional \$4 Million Supplemental Appropriation.

Commissioner President Guy requested Mr. Weiskopf provide the format for the public hearing and open the hearing for public comment. No Public comments were given.

Mr. Weiskopf closed the public hearing for public comment and noted that the record would remain open for public comment for an additional seven days. Commissioner President Guy closed the public hearing at approximately 9:39 a.m.

MOTION TO ADJOURN AS COMMISSIONERS OF ST. MARY'S COUNTY

I move to adjourn as the Commissioners of St. Mary's County and reconvene as the St. Mary's County Board of Health.

Motion by Commissioner Eric Colvin, second by Commissioner John E. O'Connor.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

5. ST. MARY'S COUNTY BOARD OF HEALTH

Present: Dr. Meenakshi Brewster, Health Officer

Dr. Brewster presented updated Covid-19 data. She discussed the declining rate of infection and provided information on Covid-19 testing and vaccination sites. She also discussed the new CDC Standards and low Covid-19 Community "Level" (assessing community risk of higher death/ health care strain). The St. Mary's County Health Department recommends that community members choose to wear masks based on their personal risk. Masks continue to be required on public transportation and in healthcare settings.

MOTION TO ADJOURN AS THE ST. MARY'S COUNTY BOARD OF HEALTH

I move to adjourn as the St. Mary's County Board of Health and reconvene as the Commissioners of St. Mary's County.

Motion by Commissioner Eric Colvin, second by Commissioner John E. O'Connor.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

6. MAIN AGENDA ITEM

A. DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT - Decision - Amend the Comprehensive Zoning Ordinance for new uses Solar, Major and Solar, Minor

I move to approve the ordinance amending the Comprehensive Zoning Ordinance to add the new uses of Solar, Major and Solar, Minor, the new and amended definitions, and the parking standards and loading space changes for the two new uses and authorize the Commissioner President to sign any related documents.

Motion by Commissioner John E. O'Connor, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

7. COUNTY ADMINISTRATOR

A. DRAFT AGENDAS FOR MARCH 8 AND 15, 2022.

B. OFFICE OF THE COUNTY ADMINISTRATOR - YMCA Brief

Present: David Weiskopf, Acting Co-County Administrator
Robbie Gill, Chief Executive Officer, YMCA of the Chesapeake
Brian Rigby, Director of Architecture, GRO

An update on the plans for the YMCA was presented. The Commissioners agree to move forward with the YMCA. The next step is to create a Local Project Team Formation to start reviewing and processing the proposed plans to prepare for permitting and construction.

C. DEPARTMENT OF FINANCE - BOARD OF EDUCATION - Request approval of FY2022 budget adjustment

I move to approve the Board of Education's request of an FY2022 budget adjustment for the Food Service Fund in the amount of \$1,500,000 for funding from the USDA.

Motion by Commissioner John E. O'Connor, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

D. DEPARTMENT OF FINANCE - Award Recommendation for Asphalt Overlay CY2022

I move to authorize the Procurement Officer to award the Asphalt Overlay Services Contract for Calendar Year 2022 to Aggregate Industries, in an amount estimated to exceed \$1 million, subject to receipt and acceptance of Contract related documents.

Motion by Commissioner Michael L. Hewitt, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan
Nay: Commissioner O'Connor

E. DEPARTMENT OF RECREATION AND PARKS - Legislative Bond Grant Agreement Sports Complex RP1904

I move to approve and authorize the Commissioner President to sign the Legislative Bond Grant agreement from the State of Maryland in the amount of \$150,000 awarded for the Concept Design of the St. Mary's County Sports Complex.

Motion by Commissioner John E. O'Connor, second by Commissioner Todd B. Morgan.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

8. LEGISLATION

A. OFFICE OF THE COUNTY ATTORNEY - Legislative Updates

MOTION 1: I move to support SB 830/HB 1228 - Natural Resources - Oysters, Spat, Shells and Substrate and to approve and authorize Commissioner President to sign letters of support to house and senate committees for hearings on these bills.

Motion by Commissioner Todd B. Morgan, second by Commissioner John E. O'Connor.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 2: I move to support HB 1217 - Natural Resources - Oyster Inspection and Severance Taxes - Increase and approve and authorize Commissioner President to sign letters of support to house and senate committees for hearings on this bill.

Motion by Commissioner John E. O'Connor, second by Commissioner Eric Colvin.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 3: I move to support HB 1019/SB 838 - Transportation - Elderly and Handicapped Transportation Service - County Funding and approve and authorize Commissioner President to sign letters of support to house and senate committees for hearings on these bills.

Motion by Commissioner John E. O'Connor, second by Commissioner Eric Colvin.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 4: I move to support HB 1187/SB 726 - Transportation – Highway User Revenues – Revenue and Distribution and approve and authorize Commissioner President to sign letters of support to house and senate committees for hearings on these bills.

Motion by Commissioner Michael L. Hewitt, second by Commissioner Todd B. Morgan.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 5: I move to support SB 497 - Deer Management Permit - Hunting on State Land Leased by Permit Holder - Authorization and to approve and authorize Commissioner President to sign letters of support to house and senate committees for hearings on these bills.

Motion by Commissioner John E. O'Connor, second by Commissioner Eric Colvin.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 6: I move to support SB 582/ HB 956 - Natural Resources - Recreation on Private Land - Hunting and to approve and authorize Commissioner President to sign letters of support to house and senate committees for hearings on these bills.

Motion by Commissioner John E. O'Connor, second by Commissioner Todd B. Morgan.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 7: I move to support HB 633/SB 933 – Education - Accountability and Implementation Board – Membership- and to approve and authorize the Commissioner President to sign letters of support to house and senate committees for hearings on these bills.

Motion by Commissioner John E. O'Connor, second by Commissioner Todd B. Morgan.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 8: I move to oppose HB 1068/SB 113 - Local Health Departments, Environmental Health Specialists, and On-site Sewage Disposal Systems - Systems Standards, Regulations, Applications, and Funding and approve and authorize Commissioner President to sign letters of opposition to house and senate committees for hearings on this bill.

Motion by Commissioner Todd B. Morgan, second by Commissioner Eric Colvin.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 9: I move to support SB 448/HB 685 Education – Regional Resource Centers and Libraries – Funding and approve and authorize Commissioner President to sign letters of support to house and senate committees for hearings on these bills.

Motion by Commissioner Todd B. Morgan, second by Commissioner Eric Colvin.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 10: I move to support with Maco amendments SB 640/HB 1426 - Primary and Secondary Education - Maintenance of Effort Requirements - Alterations and to approve and authorize Commissioner President to sign letters of support to house and senate committees for these bills

Motion by Commissioner Michael L. Hewitt, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 11: I move to support SB 637/HB 935 - Health and Health Insurance - Behavioral Health Services - Expansion (Behavioral Health System Modernization Act) and to approve and authorize the Commissioner President to sign letters of support to house and senate committees for hearings on these bills.

Motion by Commissioner Todd B. Morgan, second by Commissioner John E. O'Connor.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 12: I move to support HB 1243 – Public Health – Rural Nonemergency Medical Transportation Program and to approve and authorize the Commissioner President to sign letters of support to house and senate committees for hearings on this bill.

Motion by Commissioner Todd B. Morgan, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 13: I move to oppose HB 831 - Reducing Greenhouse Gas Emissions - Commercial and Residential Buildings and approve and authorize Commissioner President to sign letters of opposition to house and senate committees for hearings on this bill.

Motion by Commissioner John E. O'Connor, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

9. COMMISSIONERS' TIME

The Commissioners highlighted events attended over the past week and provided general comments.

MOTION TO ENTER INTO CLOSED SESSION

I move to enter into Closed Session to discuss Litigation and Personnel.

Motion by Commissioner John E. O'Connor, second by Commissioner Eric Colvin.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

10. CLOSED SESSION

A. LITIGATION

Present: James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner
Catherine Pratson, Acting Co-County Administrator
David Weiskopf, Acting Co-County Administrator
Sharon Ferris, Recorder

Authority: §9-512(a)(2) of the Local Government Article of the Annotated Code of Maryland
Time Held: 12:40 - 12:44 p.m.
Location: Commissioners Meeting Room
Purpose: To discuss strategy for potential litigation.

B. PERSONNEL

Present: James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner
Catherine Pratson, Director Human Resources
David Weiskopf, Acting Co-County Administrator
Sharon Ferris, Recorder

Authority: §9-512(a)(1) of the Local Government Article of the Annotated Code of Maryland
Time Held: 12:44 p.m. - 12:45 p.m.
Location: Commissioners Meeting Room
Purpose: To consider or discuss the assignment, promotion, resignation, salary, demotion, dismissal, reprimand, or appointment of a member of a public agency or employee.

C. PERSONNEL

Present: James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner

Catherine Pratson, Director, Human Resources
David Weiskopf, Acting Co-County Administrator
Steve Walker, Director, Dept. of Emergency Services

Authority: §9-512(a)(1) of the Local Government Article of the Annotated Code of Maryland

Time Held: 12:45 p.m. - 12:51 p.m.

Location: Commissioners Meeting Room

Purpose: To consider or discuss the assignment, promotion, resignation, salary, demotion, dismissal, reprimand, or appointment of a member of a public agency or employee.

D. PERSONNEL

Present: James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner
Catherine Pratson, Director Human Resources
Sharon Ferris, Recorder

Authority: §9-512(a)(1) of the Local Government Article of the Annotated Code of Maryland

Time Held: 12:52 p.m. - 1:14 p.m.

Location: Commissioners Meeting Room

Purpose: To consider or discuss the assignment, promotion, resignation, salary, demotion, dismissal, reprimand, or appointment of a member of a public agency or employee.

11. ADJOURN

The meeting adjourned at approximately 1:14 pm..

Minutes approved by the Commissioners of St. Mary's County on March 8, 2022.

JB
Julie Burch, Senior Admin Coordinator

12. BUDGET WORK SESSION

A. DEPARTMENT OF FINANCE - FY2023 Budget Work Session Follow-up CIP and Operating - Board of Education

Present: Jeannett Cudmore, Chief Financial Officer
Jody Quasney, Deputy Director

MOTION 1: I move to approve the Capital Improvement Plan as presented and authorize the Finance Office to take to the Planning Commission on March 14, 2022.

Motion by Commissioner John E. O'Connor, second by Commissioner Todd B. Morgan.
Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 2: I move to have the FY2023 Budget Public Hearing at Chopticon High School on April 26, 2022.

Motion by Commissioner John E. O'Connor, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Morgan, O'Connor

Nay: Commissioner Colvin

MOTION 3: I move to adopt the Constant Yield at .8478 and authorize the Department of Finance to advertise. The Property Tax remains the same.

Motion by Commissioner John E. O'Connor, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

Nay: Commissioner Hewitt

13. ADJOURN

14. PUBLIC HEARING

Members present

Commissioner President James R. Guy

Commissioner Eric Colvin

Commissioner Michael L. Hewitt

Commissioner Todd B. Morgan

Commissioner John E. O'Connor

David Weiskopf, County Attorney, Acting Co-County Administrator

ALisa Casas, Communications Director, Public Information Office

Prior to the start of the Public Hearing, the following motion was made.

MOTION FROM CLOSED SESSION

I move to approve appointing David Weiskopf as the Interim County Administrator effective March 2, 2022, and to authorize the Commissioner President to sign the related documents.

Motion by Commissioner John E. O'Connor, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

A. OFFICE OF THE COUNTY ATTORNEY - Public Hearing - Resolution to Establish the St. Mary's County Police Accountability Board and St. Mary's County Administrative Charging Committee

Present: John Houser, Assistant County Attorney

Notice of the Public Hearing was published on February 11 and 18, 2022. This public hearing to receive public comments on the Police Accountability Board and Administrative Charging Committee required by HB/670/ Chapter 59 “Maryland Police Accountability Act of 2021 - Police Discipline and Law Enforcement Programs and Procedures” during the 2021 Session of the Maryland General Assembly and it is effective July 1, 2022.

Commissioner President Guy requested Mr. Weiskopf provide the format for the public hearing and open the hearing for public comment.

Public Comments Given by:

Scott Ostrow, 45933 East Quincy Terrace, Lexington Park, MD

Lawrence Ludwig, 23356 Marview Court, Leonardtown, MD

Mary Ludwig, 23356 Marview Court, Leonardtown, MD

Austin Schultz P.O. Box 1208, Leonardtown, MD

David Deaderick 23155 Mirfield Lane, Lexington Park

Brandon Russell, P.O Box 442, Leonardtown, MD

Marsha Greenburg, P.O. Box 5013, St. Mary’s City, MD

Julie Randell, 19711 Teddy Lane, Lexington Park, MD

Alonzo Gaskin, P.O. Box 207, Dameron, MD

Mr. Weiskopf closed the public hearing for public comment and noted that the record would remain open for public comment for an additional seven days. Commissioner President Guy closed the public hearing at approximately 7:11 p.m.

15. ADJOURN